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tions; the rule applies only to trades or occupations that are hurtful to public morals or injurious to the public welfare. *State v. Smith*, 67 Conn. 541; *State v. Moore*, 113 N. C. 697; *Cache Co. v. Jensen*, 21 Utah, 207; *TIEDERMAN'S POLICE POWER*, pp. 270, 277, 278; *COOLEY'S TAXATION* (3d ed.) 24. In *Lawton v. Steele*, 152 U. S. 133, 14 Sup. Ct. 499, 38 L. Ed. 385, it was held that the legislature may not, under the guise of a police regulation and of protecting the interests of the public, arbitrarily interfere with public business or impose unusual or unnecessary restrictions upon lawful occupations. While absolute equality in taxation is unattainable, yet, when, for any reason, the tax becomes discriminative upon the individuals of the class taxed and selects some for an exceptional burden, it is deprived of the necessary element of legal equality. *COOLEY'S TAXATION* (3rd ed.) 259, 260; *Commonwealth v. Fowler*, 96 Ky. 166, 33 L. R. A. 839; *Ry. Co. v. Clark*, 60 Kan. 826. Moreover, a city cannot divide a single taxable privilege and require a separate tax for each of its elements; 2 *COOLEY'S TAXATION* (3rd ed.) 1103 and note 1; *Ex Parte Simms*, 40 Fla. 432; *Canora v. Williams*, 41 Fla. 509. Here a heavy license was required from trading stamp companies, so that the present license was seemingly within this rule. The use of trading stamps has been upheld as lawful, and the right to give them away is unquestionable. See 2 MICH. LAW REV., 224; 3 ID. 233.

CONSTITUTIONAL LAW—EIGHT HOUR LAW—POLICE POWER—HEALTH REGULATIONS.—Application for habeas corpus to be discharged from imprisonment for violation of St. of 1903, p. 33, c. 10, making it a penal offense for any man to work more than eight hours a day in underground mines, smelters and all institutions for the reduction or refining of ores and metals. Petitioner contends that the law contravenes the constitutional provision guaranteeing the right to acquire and possess property and the 14th Amendment of the U. S. Constitution. *Held*, that the law was sustainable under the police power of the state. *Ex parte Kair* (1905), — Nev. —, 80 Pac. Rep. 463.

A number of interesting cases have arisen lately in many of the states in regard to the constitutionality of the eight-hour laws, and the decisions are not harmonious. Eight-hour laws, applied indiscriminately to all trade, are seemingly unreasonable and the numerous authorities holding them void are supported by strong arguments; but, when they are to apply to workmen in underground works or other obnoxious places or to women or children, another proposition confronts us. The state may within its police power look after the health, safety and comfort of its citizens. This has been recognized in many states by upholding the validity of statutes like the present. *State v. Holden*, 14 Utah 71, 96, affirmed in *Holden v. Hardy*, 169 U. S. 366, 18 Sup. Ct. 383, 42 L. Ed. 780; *State v. Cantwell*, 179 Mo. 245; *State v. Buchanan*, 29 Wash. 602, 59 L. R. A. 342; *In re Boyce*, 27 Nev. 299, 65 L. R. A. 47; *Comm. v. Hamilton Mfg. Co.*, 120 Mass. 383; *Atkin v. Kansas*, 191 U. S. 207, 24 Sup. Ct. 124, 48 L. Ed. 148. The only state, perhaps, that holds the eight-hour law, as applied to miners, invalid, is Colorado. *In re Eight-Hour Bill*, 21 Colo. 29; *In re Morgan*, 26 Colo. 415, 47 L. R. A. 52. This last case holds that the decision of the U. S. Supreme Court on the constitutionality of eight-hour laws is not binding upon the state courts.